

DECLARATION FOR PATENT APPLICATION



As the below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled EUKARYOTIC EXPRESSION LIBRARIES AND METHODS OF USE, the specification of which

_____ is attached hereto as Attorney Docket No. _____).

X _____ was filed on November 28, 2001,
as Application Serial No. 09/997,209
(Attorney Docket No. P-IX 5066).

and was amended on (or amended through) _____.
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other information,

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a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby claim the benefit under Title 35, United States Code, § 119(e) of the United States provisional application(s) listed below, which was converted to a provisional application by Petition under 37 C.F.R. Sec. 1.53(c)(2)(i), and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 that became available between the filing date of the prior application(s) listed below and the filing date of this non-provisional application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/724,762	November 28, 2000	Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

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United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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